



राजपत्र, हिमाचल प्रदेश

(असाधारण)

हिमाचल प्रदेश राज्यशासन द्वारा प्रकाशित

शिमला, शनिवार, 6 अगस्त, 1983/15 भावण, 1905

हिमाचल प्रदेश सरकार

LABOUR DEPARTMENT

NOTIFICATION

Shimla-171002, the 1st August, 1983

No. 8-14/80-Shram.—Whereas the Management of the Cement Corporation of India (A Government of India Enterprise), Rajban Cement Factory, District Sirmaur (Himachal Pradesh) and worker represented by the Cement Corporation Employees Union, Rajban Cement Factory, District Sirmaur (H.P.) agreed to appoint Shri K. C. Sharma I.A.S. Labour Commissioner, Himachal Pradesh as an Arbitrator under section 10-A of the I. D. Act 1947;

And whereas the aforesaid agreement was notified by the Himachal Pradesh Government vide notification of even number dated 15-6-1983 and published in the Rajpatra Himachal Pradesh on 18-6-1983.

Now, therefore, in exercise of the powers vested in him under sub-section (1) of section 17 of the I. D. Act, 1947, the Governor, Himachal Pradesh is pleased to publish the Arbitration Award given by Shri K. C. Sharma, I.A.S., Labour Commissioner, Himachal Pradesh dated 27th July, 1983 in the Rajpatra Himachal Pradesh together with the agreement appended as annexure thereof.

By order,
Sd/-
Commissioner-cum-Secretary.

ANNEXURE

BEFORE SHRI K. C. SHARMA, ARBITRATOR

In the matter of Arbitration:

BETWEEN

CEMENT CORPORATION OF INDIA LIMITED
(A Government of India Enterprise)

Rajban Cement Factory, Rajban

AND

THEIR WORKMEN

AWARD

Award of the Arbitrator in the matter of an industrial dispute between Cement Corporation of India (A Government of India enterprise), Rajban Cement Factory, District Sirmaur, Himachal Pradesh and its workmen represented by the Cement Corporation Employees Union, Rajban Cement Factory, District Sirmaur and in the matter of arbitration agreement under sub-section (1) of Section 10A of the Industrial Disputes Act, 1947 (Act No 14 of 1947) dated the 28th May, 1983/1st June, 1983.

ARBITRATOR

Shri K. C. Sharma, I.A.S.,
Labour Commissioner,
Himachal Pradesh,
Shimla-171002.

PRESENT:

Shri Atma Ram Sharma,
President,

(for and on behalf of the workmen, being the First Party), and

Shri Tarsem Lal,
Deputy Manager (P&A)

(for and on behalf of the Management, being the Second Party).

2. The Government of Himachal Pradesh, Labour Department under notification No. 8-14/80-Shram, dated the 15th June 1983, published the arbitration agreement dated 28th May, 1983/

1st June, 1983. This arbitration agreement provided for reference of the dispute over the entitlement of the workmen for bonus for the financial year, 1981-82 to me for arbitration.

2. Usual notices were served upon the parties directing them to appear on 21st July, 1983 at 1100 hours in persons to answer all material questions relating to the dispute. The case was heard on this date. On behalf of the workmen, a statement of claim was presented by the Cement Corporation Employees Union. A copy of the claim statement was given to the representatives of the management of Cement Corporation of India Factory, Rajban. The Second Party i.e. the Management filed their written statement at 1030 hours on 22nd July, 1983. A copy of the written statement was supplied to the First party and the matter was adjourned to come up at 1630 hours on the same day. When the matter came up for hearing at the time, the parties to the arbitration agreement filed a joint memorandum of settlement intimating the terms of settlement between the parties. Their statement was also recorded.

4. In their statement of claim the first party claimed bonus for the year, 1981-82 at a rate of 8.33 per cent, while the second party in their written statement resisted this claim. However, in view of the memorandum of settlement and the position stated in para 5 infra, I consider it unnecessary to go into the merits of the respective averments made by the parties.

5. On a perusal of the memorandum of settlement filed coupled with the unequivocal statement made by the parties before me, I find the terms of compromise to be lawful, reasonable, and fair. It is also clear that the parties have compromised the entire dispute pending between them as such. Under the circumstances, I am disposed to pass a 'no-dispute' award on the basis of the memorandum of settlement. Therefore a 'no-dispute' award and is hereby passed in terms of the memorandum of settlement which be and is made a part of this award and appended as an annexure to this award.

This is my award.

Dictated and corrected by me.

Announced on 27th July, 1983.

K. C. SHARMA,
Labour Commissioner, Himachal Pradesh.
(Arbitrator).

MEMORANDUM OF SETTLEMENT

PRESENT:

Employees' Representatives:

1. Shri A.R. Sharma, President.
2. Shri J.R. Choudhary, General Secretary.
3. Shri T.R. Agnihotri, Office Secretary.

Management Representatives:

1. Shri S. N. Srivastava, General Manager.
2. Shri D.P. Verma, S.S.M. (Finance).
3. Shri Tarsem Lal, Deputy Manager (P&A)

SHORT RECITAL

Whereas the dispute between the Employees of Rajban Cement Factory of C.C.I. espoused by their C.C.E.U., and Management of the Factory, in respect of payment of bonus by the Management for the year, 1981-82 was referred to the Arbitrator under section 10(A) of the Industrial Disputes Act, 1947 vide Agreement dated 28th May, 1983.

And whereas the Arbitrator, Shri K. C. Sharma, Labour Commissioner, Himachal Pradesh fixed the date of hearing of 31st July, 1983 at Rajban Cement Factory, Rajban.

And whereas in terms of the notice dated 5th July, 1983 the proceedings in terms of reference contained in agreement dated 28th May, 1983 and published in Gazette of Himachal Pradesh vide notification No. 8-14/80-Shram, dated 15th June, 1983 was held on the date fixed on 21st July, 1983 at Rajban.

And whereas the statement of claim was filed by the C.C.E. Union on behalf of the employees claiming minimum bonus at the rate of 8.33 % for the year, 1981-82.

And whereas the management of the Rajban Cement Factory filed its written statement to the claim dated 21st July, 1983 on 22nd July, 1983 raising objection for the maintainability of the claim.

And whereas the C.C.E.U., requested the management that considering the production and overall profitability for the year, 1981-82, employees the given statutory bonus at the rate of 8.33 % of the salary or less as per provisions in the payment of Bonus Act in each respective case.

TERMS OF SETTLEMENT

1. That the Management has agreed as a gesture of good will and overall progress of the factory and production to pay bonus at the rate of 8.33 % of the salary or less as per provisions contained in the Act to each individual according to qualifying period for receipt of Bonus.

2. That C.C.E. Union agrees and confirms that employees shall achieve more than 100 % capacity utilisation during the current and ensuing quarter i.e. July to September and October to December, 1983. It is further assured that to achieve the targets industrial peace will be maintained by the employees.

3. That the C. C.E.U. agrees and confirms that the employees will not claim any further sum towards Bonus for the accounting year. 1981-82 and this claim settles finally between the parties hereto.

पंचायती राज विभाग

कार्यालय आदेश

शिमला-2, 25 जुलाई, 1983

संख्या पी० सी० एच०-एच०ए०(5)-121/77.—क्योंकि श्री सौरमा राम प्रधान ग्राम पंचायत बकाण, जिला चम्बा को ग्राम पंचायत की 65 बोरी सीमेंट तथा 200 की राशि के गबन के दोष पर उनके पद से इस विभाग के समसंख्यक आदेश दिनांक 11-3-82 के अन्तर्गत निष्कासित किया गया है;

और उक्त श्री सौरमा राम की नजरसानी की प्रार्थना-पत्र पर सरकार ने किसी तरह का निर्णय लेने से पहले मत्स्य विभाग का स्पष्टीकरण जल्द ही समझा तथा तब तक उक्त आदेशों को दिनांक 12-4-83 को स्थगित किया गया था;

और क्योंकि अब मत्स्य विभाग की रिपोर्ट के मुताबिक श्री सौरमा राम द्वारा सीमेंट का दुरुपयोग नहीं किया गया है, बल्कि इसके सही तरह से न रखने के कारण सीमेंट की 65 बोरी खराब हुई है। मु० 210 के

अग्रिम धन की राशि को भी प्रधान ने वापिस कर दिया है। इस प्रकार सरकार ने इस मामले को प्रधान को भविष्य में सतर्क रहने के लिए सचेत करके बन्द करने का निर्णय लिया है।

६ अतः राज्यपाल, हिमाचल प्रदेश श्री सौरभा राम प्रधान, ग्राम पंचायत बकाण, विकास खण्ड मैहला, जिला चम्बा को भविष्य में प्रधान पद की सतर्कता से निभाने के आदेश देकर उनके निष्कासन के दिनांक 11-3-82 के आदेशों को वापिस लेते हैं।

शिमला-2, 25 जुलाई, 1983

संख्या पी0 सी0 एच0-एच0 ए0 (5)-34/82.—क्योंकि श्री ईश्वर दाम, पंच ग्राम पंचायत लून्हा, ग्राम पंचायत की मासिक बैठकों से 10-7-80 से लगातार अनुपस्थित रहने के दोषी पाये गये हैं;

और क्योंकि उक्त पंच को उपरोक्त आरोप पर हिमाचल प्रदेश पंचायती राज अधिनियम 1968 की धारा 54(2)(सी) के अन्तर्गत दिनांक 21-6-82 को निष्कासनार्थ कारण बताओ नोटिस दिया गया था;

और क्योंकि नोटिस के उत्तर में जो स्वीकृत कारण उक्त श्री ईश्वर दास ने दिया है, वह असन्तोषजनक पाया गया है;

अतः राज्यपाल, हिमाचल प्रदेश श्री ईश्वर दाम को ग्राम पंचायत लून्हा के पंच पद से हिमाचल प्रदेश पंचायती राज अधिनियम, 1968 की धारा 54(2)(सी) के अन्तर्गत निष्कासित करने का सहर्ष आदेश देते हैं।

शिमला-2, 25 जुलाई, 1983

संख्या पी0 सी0 एच0-एच0 ए0.—क्योंकि श्री शमशेर सिंह प्रधान, ग्राम पंचायत काश्मीर, विकास खण्ड नादौन, जिला हमीरपुर के विरुद्ध सभा निधी के मु0 201-10 रुपये की राशि अनाधिकृत रूप में रखने तथा और भी समय-2 पर अनाधिकृत रूप से सभा निधी अपन पास रखने के आरोप हैं;

और क्योंकि उक्त प्रधान के विरुद्ध आरोपों में वास्तविकता जानने के लिए नियमित जांच करवानी आवश्यक है।

अतः राज्यपाल, हिमाचल प्रदेश श्री शमशेर सिंह के विरुद्ध आरोपों में वास्तविकता जानने के लिए हिमाचल प्रदेश पंचायती राज अधिनियम, 1968 की धारा 54(2)(डी) के अन्तर्गत नियमित जांच करने हेतु जिला पंचायत अधिकारी, हमीरपुर को जांच अधिकारी नियुक्त करते हैं। वह अपनी रिपोर्ट जिलाधीश, हमीरपुर की टिप्पणियों सहित एक मास तक इस निदेशालय को देंगे।

हस्ताक्षरित/-
अवर सचिव।

लोक निर्माण विभाग

अधिसूचना

शिमला-2, 29 जुलाई, 1983

संख्या लो0 नि0 (ख) 33(1) 37/82.—हिमाचल प्रदेश के राज्यपाल, हिमाचल प्रदेश मकैनिकल यान (पुल) अधिनियम, 1968 (1969 का अधिनियम संख्या 20) की धारा 3 की रूप-धारा (1) के परन्तुक द्वारा प्रदत्त

शक्तियों का प्रयोग करते हुए, वैज्ञानिक और औद्योगिक अनुसंधान परिषद् कम्पलेक्स पालमपुर (सोसाईटी ऐक्ट) 1860 के अधीन पंजीकृत के यानों को टोल टैकट की उद्ग्रहण करने से सहर्ष तुरन्त छूट देते हैं।

आदेश द्वारा,
एस० के० गोस्वामी,
आयुक्त एवं सचिव।

In pursuance of the provisions of clause (3) of Article 348 of the constitution of India, the Governor of Himachal Pradesh is pleased to publish the authoritative English text of this Department notification No. PW(B)33(1) 37/82, dated 29-7-83.

NOTIFICATION

Shimla-2, the 29th July, 1983

No. PW(B)33(1)37/82.—In exercise of the powers conferred by proviso to sub-sections (1) of section 3 of H.P. Mechanical Vehicles (Bridges) Act, 1968 (20 of 1969) the Governor of Himachal Pradesh is pleased to exempt the vehicles of the Council of Scientific and Industrial Research Complex at Palampur (registered under Societies Act of 1860) from the levy of toll with immediate effect.

By order,
A. K. GOSWAMI,
Commissioner-cum-Secretary.

INDUSTRIES DEPARTMENT

NOTIFICATION

Shimla-2, the 29th July, 1983

No. Udyog (Ka) 9-1/33-Estt.—The Governor, Himachal Pradesh, is pleased to order, with immediate effect, the transfer of 83 Government Tailoring Centres as per Annexure 'A' presently functioning under the Industries Department, Himachal Pradesh to the Rural Development Department, Himachal Pradesh along with Assets and Liabilities.

2. The Governor, Himachal Pradesh, is further pleased to order with immediate effect the transfer of existing staff working in these centres pending their options to choose the Department(s).

By order,
R. K. ANAND,
Commissioner-cum-Secretary.

ANNEXURE 'A'

DETAILS OF 83 GOVERNMENT TAILORING CENTRES OF INDUSTRIES DEPARTMENT NOW TRANSFERRED TO THE R.D. DEPARTMENT HIMACHAL PRADESH ALONG WITH POSITION OF STAFF POSTED THEREIN (DISTRICT/BLOCK-WISE)

Sr.No.	Name of Block	Place where the centre is located	Name and designation of the incumbent of the centres
8	2	3	4
<i>District: KINNAUR</i>			
1. Pooh		Changoo	Shri Prema Ram, J.T.M.
2. Kalpa		(i) Kamroo	Shri Inder Singh, J.T.M.
		(ii) Purbani	Smt. Neeta Devi, J.T.M.

1	2	3	4
3.	Nichar	(i) Katgaon (Bhaba) (ii) Taranda	<i>Ad hoc</i> arrangement has been made. -do-
		2. District: SHIMLA	
1.	Rohru	Rohru	Shri K. C. Sharma, H.T.M.
2.	Chirgaon	Dodra Kwar	Shri B.L. Narta, H.T.M.
3.	Chopal	Nerva	Smt. Shanti Rathor, J.T.M.
4.	Jubbal-Kotkhai	Panog	Shri R. C. Dass Chauhan, J. T. M. (under transfer to R.I.T.I., Peo)
		(ii) Kalbog	Smt. Kamla Chauhan, J.T.M.
5.	Theog	Matiana	Smt. Guran Devi, J.T.M.
6.	Kumarsain	(i) Kumarsain	Miss. Roshni Devi, J. T. M. (under transfer to G.I.T.I., Reckong Peo).
		(ii) Malandi	Smt. Santosh Jain, J.T.M.
7.	Rampur	Tayvil (Jouri)	Miss. Surindra Jodhata, J.T.M.
8.	Kasumpati-Suni	Shogi	Smt. Gyatri Devi, J.T.M.
9.	Shimla-Sadar	(i) Chakkar	Smt. Gurbansi Verma, H.T.M.
		(ii) Sonjauli	Smt. Santosh Joshi, J.T.M.
		3. District: SOLAN	
1.	Kunihar	Darlaghat	Smt. Parwati Devi, J.T.M.
2.	Solan	Oachghat	Smt. Champa Devi, Asstt. Stitch embroidery Instructor.
3.	Nalagarh	Diggall	Smt. Sita Devi, J.T.M.
4.	Kandaghat	Jadari	Smt. Neelam Bala, J.T.M.
5.	Dharampur	Jabli	Smt. Shiv Raj Kumari, J.T.M.
		4. District: BILASPUR	
1.	Bilaspur (Sadar)	(i) Sawahan	Smt. Rukmani Devi, J.T.M.
		(ii) Kandrur	Smt. Dayawatam, J.T.M.
2.	Geherwin	Paplah	Smt. Darshana, J.T.M.
3.	Ghumarwin	Bharari	Smt. Pushpa Devi, J.T.M.
		5. District: KANGRA	
1.	Indora	Mohtali	Smt. Leela Wati, J.T.M.
2.	Nurpur	Jawali	Smt. Kanta Devi, H.T.M.
3.	Kangra	Tanda (beerta)	Smt. Tripta Devi, J.T.M.
4.	Nagrota-Surian	Nagrota-Surian	Smt. Santosh Kumari, J.T.M.
5.	Nagrota Bagwan	Nagrota-Bagwan	Smt. Satya Devi, J.T.M.
6.	Dehra Gopipur	Haripur	Smt. Bindra Devi, J.T.M.
7.	Pragpur	(i) Pragpur	Smt. Vidya Devi, J.T.M.
		(ii) Garli	Smt. Sarswati Devi, J.T.M.
8.	Bhawarana	Mansimbal	Smt. Bimla Devi, J.T.M.
9.	Panchrukhi	Panchrukhi	Smt. Vijay Sood, J.T.M. (under transfer to Kharghat Chamba district).
10.	Baij Nath	Deyal	Smt. Sumitra Devi, H.T.M.
11.	Rait	Shahpur	Smt. Rano Devi, J.T.M.
12.	Lambagaon	Jalag	Smt. Dev Maya, J.T.M.
		6. District: HAMIRPUR	
1.	Bijri	Garli	Smt. Maya Devi, J.T.M.
2.	Bhoranj	(i) Bhoranj	Shri Bhagwan Singh, J.T.M.
		(ii) Kanjayan	Smt. Shakuntla Devi, J.T.M.
3.	Sujanpur Tihra	Sunjanpur	Smt. Krishna Devi, J.T.M.
4.	Hamirpur	Jhankpur	Smt. Rani Devi, J.T.M.
5.	Nadaun	Jalari	Smt. Pushpa Devi, J.T.M.

1	2	3	4
7. District: CHAMBA			
1. Tissa	Kalhal	Smt. Rukma Devi, J.T.M.	
2. Salooni	Manjali	Smt. Shiv Dai, J.T.M.	
3. Pangi	Purthi	Shri Jhanda Ram, J.T.M.	
4. Chamba	Pukhri	Smt. Kanta Jaidka, H.T.M.	
5. Mehla	Krian	Smt. Sheela Devi, J.T.M.	
6. Bharmaur	Lahal	Smt. Pushpa Wati, J.T.M., (under transfer to Nanikhed).	
7. Bhattiyat	(i) Nanikhed	Smt. Surksha Devi, H.T.M. (under transfer to Lahal).	
	(ii) Kyharghat	Smt. Raj Bawa, J.T.M. (under transfer to Panchrukhi, Kangra district).	
8. District: UNA			
1. Gagret	Deoli	Smt. Pushp Lata, J.T.M.	
2. Una	Haroli	Smt. Om Devi, J.T.M.	
3. Amb	Gindpur Malan	Smt. Maya Devi, J.T.M.	
4. Bangana	(i) Bangana	Smt. Santosh Kumari J.T.M.	
	(ii) Raipur	Smt. Shakuntla Devi, J.T.M.	
9. District: SIRMAUR			
1. Paonta Sahib	(i) Paonta Sahib	Smt. Bhagwant Kaur, J.T.M.	
	(ii) Saton	Smt. Saroj Bala, J.T.M.	
2. Nahar	Kaulawalan	Smt. Man Kaur, J.T.M.	
3. Shilai	Badaun	Shri Rukmani Devi, H.T.M.	
4. Sangraha	Shamra	Shri Raghu Dass, H.T.M.	
5. Pachhad	Rajgarh	Smt. Asha Lata J.T.M.	
10. District: KULLU			
1. Kullu	Jori	Smt. Shakuntla Kumari, J.T.M.	
2. Nirmand	Arsu	Shri Shiam Diwana, J.T.M. (under transfer to Dodra Kwar).	
3. Anni	Anni	Smt. Vidya Wati, J.T.M.	
4. Nagar	Katraian	Smt. Leela, J.T.M.	
5. Banjar	Banjar	Smt. Prem Lata, J.T.M.	
11. District: LAHAUL AND SPITI			
1. Lahaul	Barpa	Smt. Phool Mati, J.T.M., (under transfer to G.I.T.I., Kullu).	
2. Kaza	Kibbar	Smt. Darshana, J.T.M.	
12. District: MANDI			
1. Sundernagar	Sundernagar	Smt. Shyam Bala, H.T.M.	
2. Chachiot	Ganai	Shri Mehar Chand, H.T.M.	
3. Sara (Janjali)	Janjali	Smt. Bhuvneshwari, H.T.M.	
4. Serkaghat	Sarkaghat	Smt. Kamla Kumari, H.T.M.	
5. Darang	Pali	Smt. Mandri Devi, H.T.M.	
6. Mandi (Sadar)	Mandi	Smt. Pittambari Devi, H.T.M.	
7. Chauntra	Sukabagh	Smt. Maya Devi, H.T.M.	
8. Karsog	Pangana	Smt. Parilash, H.T.M.	
9. Dharampur	Darng Morla	Smt. Soma Kumari, J.T.M.	
10. Rewalsar	(i) Ranchara	Smt. Parwati Devi, J.T.M.	
	(ii) Baggi	Smt. Padma Devi, J.T.M.	